

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MAURICE C. LAND,	§
	§ No. 136, 2006
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
STATE OF DELAWARE,	§ Cr. ID No. 91005910DI
	§
Plaintiff Below-	§
Appellee.	§

Submitted: March 23, 2006

Decided: April 21, 2006

Before **STEELE**, Chief Justice, **HOLLAND** and **RIDGELY**, Justices

ORDER

This 21st day of April 2006, upon consideration of the appellant's untimely notice of appeal,¹ the notice to show cause issued by the Clerk, the appellant's response,² and the appellee's Memorandum in Support of Dismissal, it appears that the appellant's failure to timely file his appeal is not attributable to court-related personnel.³ Accordingly, this Court does not have jurisdiction to hear this untimely appeal.

¹ The appellant's appeal from the Superior Court's February 7, 2006 order was due to be filed in this Court on or before March 9, 2006, but was not filed until March 14, 2006. Supr. Ct. R. 6(a) (iii).

² The appellant states that the envelope containing the notice of appeal was returned to him due to insufficient postage.

³ *Bey v. State*, 402 A.2d 362, 363 (Del. 1979).

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rules 6(a) (iii) and 29(b), that the within appeal is DISMISSED.

BY THE COURT:

/s/ Myron T. Steele
Chief Justice